

SENATE BILL 594

M4

2lr1551

By: **Senators Pinsky and Frosh**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Nutrient Management – Application of Nutrients**

3 FOR the purpose of prohibiting a person from applying animal manure or biosolids to
4 agricultural land during a certain time of the year; authorizing a person to
5 apply animal manure or biosolids during a certain time of the year under a
6 certain circumstance; requiring animal manure or biosolids to be applied to
7 agricultural land in a certain manner during a certain time of the year;
8 prohibiting a person from applying certain fertilizer to agricultural land on or
9 after a certain date; prohibiting the Department of Agriculture from authorizing
10 the application of animal manure or biosolids to agricultural land during a
11 certain time of the year even under a certain circumstance; providing for the
12 application of this Act; defining a certain term; and generally relating to the
13 application of certain nutrients to agricultural land.

14 BY adding to

15 Article – Agriculture

16 Section 8–803.10

17 Annotated Code of Maryland

18 (2007 Replacement Volume and 2011 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Agriculture**

22 **8–803.10.**

23 **(A) THIS SECTION APPLIES TO A PERSON WHO IS REQUIRED TO HAVE A**
24 **NUTRIENT MANAGEMENT PLAN IN ACCORDANCE WITH THIS SUBTITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) IN THIS SECTION, “BIOSOLIDS” MEANS ANY THICKENED**
2 **LIQUID, SUSPENDED OR SETTLED SOLID, OR DRIED RESIDUE EXTRACTED FROM**
3 **SEWAGE AT A SEWAGE TREATMENT PLANT INCLUDING DOMESTIC SEWAGE THAT**
4 **CONTAINS RECOGNIZED PLANT NUTRIENTS OR LIQUID BYPRODUCTS THAT MEET**
5 **FEDERAL AND STATE REGULATIONS FOR BENEFICIAL USE BY LAND**
6 **APPLICATION OR OTHER METHODS.**

7 **(2) “BIOSOLIDS” INCLUDES SEWAGE SLUDGE, AS DEFINED IN §**
8 **9–201 OF THE ENVIRONMENT ARTICLE.**

9 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
10 **SUBSECTION, BETWEEN NOVEMBER 1 AND MARCH 1, INCLUSIVE, A PERSON MAY**
11 **NOT APPLY ANIMAL MANURE OR BIOSOLIDS TO AGRICULTURAL LAND.**

12 **(2) A PERSON MAY APPLY ANIMAL MANURE OR BIOSOLIDS TO**
13 **AGRICULTURAL LAND BETWEEN NOVEMBER 1 AND MARCH 1, INCLUSIVE, IF**
14 **THE ANIMAL MANURE OR BIOSOLIDS ARE INJECTED INTO THE SOIL WITH**
15 **GREATER THAN 90% OF THE ANIMAL MANURE OR BIOSOLIDS REMAINING**
16 **BELOW THE SOIL SURFACE.**

17 **(D) BETWEEN MARCH 1 AND NOVEMBER 1, INCLUSIVE, IF A PERSON**
18 **APPLIES ANIMAL MANURE OR BIOSOLIDS TO AGRICULTURAL LAND THE PERSON**
19 **SHALL:**

20 **(1) INJECT THE ANIMAL MANURE OR BIOSOLIDS INTO THE SOIL;**
21 **OR**

22 **(2) INCORPORATE THE ANIMAL MANURE OR BIOSOLIDS INTO THE**
23 **SOIL NO LATER THAN 24 HOURS AFTER APPLICATION.**

24 **(E) ON OR AFTER JULY 1, 2017, A PERSON MAY NOT APPLY FERTILIZER**
25 **TO AGRICULTURAL LAND THAT HAS A PHOSPHORUS FERTILITY INDEX VALUE**
26 **THAT IS GREATER THAN 150, AS DEFINED AND MEASURED BY THE UNIVERSITY**
27 **OF MARYLAND.**

28 **(F) ON OR AFTER JULY 1, 2020, THE DEPARTMENT MAY NOT**
29 **AUTHORIZE THE APPLICATION OF ANIMAL MANURE OR BIOSOLIDS TO**
30 **AGRICULTURAL LAND BETWEEN SEPTEMBER 10 AND NOVEMBER 15,**
31 **INCLUSIVE, EVEN IF THERE IS A LACK OF STORAGE CAPACITY FOR ANIMAL**
32 **MANURE AS BIOSOLIDS.**

33 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
34 **October 1, 2012.**